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LETTER

FROM THE

G O V E R N O R

OF

MARYLAND,

ENCLOSING AN ACT OF THE ASSEMBLY

OF THE SAID STATE,

RESPECTING THE

BOUNDARY LINE BETWEEN THE SAID STATE

AND THE

STATE OF VIRGINIA.

RICHMOND:

PRINTED BY THOMAS RITCHIE,

PRINTER TO THE COMMONWEALTH.

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1819.

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COUNCIL CHAMBER,

Annapolis, November 1, 1819.

SIR,

I have the honor to transmit to you a copy of an act passed by the General Assembly of Maryland, at the last session, entitled "an act for settling the western limits of this State, and the dividing and boundary line between this State and the Commonwealth of Virginia," and to request that you will be pleased to lay the same before the Legislature of the State, over which you preside at the next session. It is my duty at the same time to express to you the anxious wish of the Legislature of this State that a similar law may be passed by the General Assembly of Virginia.

I am, Sir, with the highest respect,

Your obedient servant,

(Signed) C. GOLDSBOROUGH.

*His Excellency
the Governor of Virginia.*

MARYLAND, Sct.

At a session of the General Assembly of Maryland, begun and held at the city of Annapolis, on the first Monday of December, being the seventh day of the same month, in the year of our Lord one thousand eight hundred and eighteen and ended the nineteenth day of February, one thousand eight hundred and nineteen.

His Excellency Charles Goldsborough, Esqr., Governor.

Amongst others the following law was enacted, to wit: No. 206. An act for settling the western limits of this State, and the dividing line and boundary between this State and the Commonwealth of Virginia.

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That the Governor by and with the advice and consent of the Council be and he hereby is authorised to appoint three commissioners on the part of this State to meet such commissioners as may be appointed for the same purpose by the Commonwealth of Virginia to settle and adjust by mutual compact between the two Governments, the western limits of the State, and the dividing line and boundary between this State and the Commonwealth of Virginia, to commence at the most western source of the north branch, of the Potowmack river, and to run a due north course, to intersect the line between

this State, and the State of Pennsylvania, and also to settle and adjust as aforesaid any claim of this State, or of the said Commonwealth of Virginia, to territory within the limits of the other, and the commissioners appointed as aforesaid are required to report their proceedings, in virtue of their appointment and authority, to the General Assembly of this State, at the session next after the same shall have been concluded for confirmation or rejection.

Sec. 2. And whereas sundry citizens of this State, may hold lands in virtue of patents granted by the Commonwealth of Virginia, before the divisional line shall have been settled and adjusted between the two States, and as it is proper that all inhabitants on either side of the boundary line, so to be settled and adjusted, who shall have obtained patents for their lands in Virginia or Maryland, should have their titles confirmed in which ever State they may happen to fall;

Sec. 3. *Be it enacted*, That any person or persons holding lands within the limits of this State, which shall have been granted and patented by Virginia, before the settlement and adjustment of the said divisional line, and which before the running and settling the divisional line aforesaid, shall have been considered as lying within the limits of Virginia, and subject to the jurisdiction thereof, but which by the settlement and adjustment of the said divisional line shall be found to be within this State, shall be at liberty to take out and receive patents from the land office of this State, and after the confirmation of the settlement and adjustment of the said divisional lines as aforesaid, the register of the land office of the western shore, is hereby empowered and directed on application of any of the above described landholders, and upon their producing their Virginia patents or authenticated copies which shall be lodged in the land office, to grant patent or patents for the lands expressed in such original grant or grants, and the person or persons thus receiving patents in exchange, shall not be liable to pay any purchase or caution money, or be liable to any charge or demand whatsoever, except the common fees of office. *Provided, nevertheless,* *And be it enacted*, That the right, title and estate acquired by any person or persons of, in and to any such lands, under and in virtue of any kind of grant from the proprietary of Maryland, or from this State prior to the right, title or estate acquired by any person or persons claiming under a grant from Virginia shall prevail, and in all and every case the prior title acquired by any person or persons, in and to any such lands under any grant or patent, whether granted by Virginia or Maryland, or by or under either of them, shall prevail and have the preference.

Sec. 4. *And be it enacted.* That no such grant as aforesaid, shall extend, or be deemed construed or taken, to extend to the right of any grantee or grantees, and those claiming under them to any lands, tenements, hereditaments, which are situate, lying or being within this State, which have been at any time and in any manner heretofore granted by or under the authority of the late proprietaries or by this State, and are now in the actual possession or occupation of all, every or any of the tenants or occupiers of the said lands, hereditaments and premises, nor to the estate, right, title or interest of such tenants or occupiers or any of them, in or to the said lands and premises or any part thereof, but it shall and may be lawful to and for all, and every of such tenants and occupiers of the said lands and premises, and every part thereof, their and every of their heirs and assigns, from time to time and at all times hereafter to hold and enjoy the said lands and premises and every part thereof, for and during all and every their several and respective estates and interests in the same and every of them, any thing herein before contained to the contrary thereof in any wise notwithstanding.

Sec. 5. *And be it enacted,* That the Governor of this State be requested to transmit without delay, to the Governor of Virginia, a copy of this act in order to its being laid before the Legislature of that State, and at the same time to communicate the wish of this General Assembly that a similar act may be passed, by the General Assembly of Virginia.

Sec. 6. *And be it enacted,* That the appointment of commissioners required by this act, shall not be made until the Legislature of Virginia shall pass a law with provisions, similar to those contained in this act.

By the House of Delegates, February 19, 1819; this engrossed bill, the original of which passed the House of Delegates, on the 19th day of February, 1819, was this day read and assented to.

By order, JOHN BREWER, Clerk.

By the Senate February 19th, 1819. This engrossed bill, the original of which passed the Senate the 19th day of February 1819, was this day read and assented to,

By order, RICHARD HARWOOD, Clerk,

MARYLAND, Sct.

I hereby certify that the foregoing is a full and true copy taken from Liber T. H. No. 6, folio 4344, one of the law records of the State of Maryland, belonging to the office of the court of appeals for the western shore of the said State.

In testimony whereof, I have hereunto subscribed my name
and affixed the seal of the said court of appeals, this 1st day
of September in the year of our Lord, 1819.

THOMAS HARRIS,
Ck. court appeals, W. S. M.

MARYLAND, Sct.

I, Jeremiah Townley Chase, chief judge of the State of Maryland, for the court of appeals, do certify, that the foregoing attestation by Thomas Harris, clerk of the said court of appeals for the western shore, is in due form and by the proper officer. Given under my hand and seal at the city of Annapolis, this first day of September, 1819.

JEREMIAH TOWNLEY CHASE. (*Seal.*)

MARYLAND, Sct.

I, Ninian Pinkney, clerk of the council of the State of Maryland, hereby certify, that the honorable Jeremiah Townley Chase, Esq. whose name is subscribed to the foregoing certificate, was at the time of signing the same, chief judge of the said State for the court of appeals, duly appointed, commissioned and authorised, and that to all acts by him done in that capacity, full faith and credit is and ought to be given, as well in courts of justice, as thereout. In witness whereof, I hereunto subscribe my name, at the city of Annapolis, this 1st day of September, 1819.

NINIAN PINKNEY,
Clerk of the Council.

MARYLAND, Set.

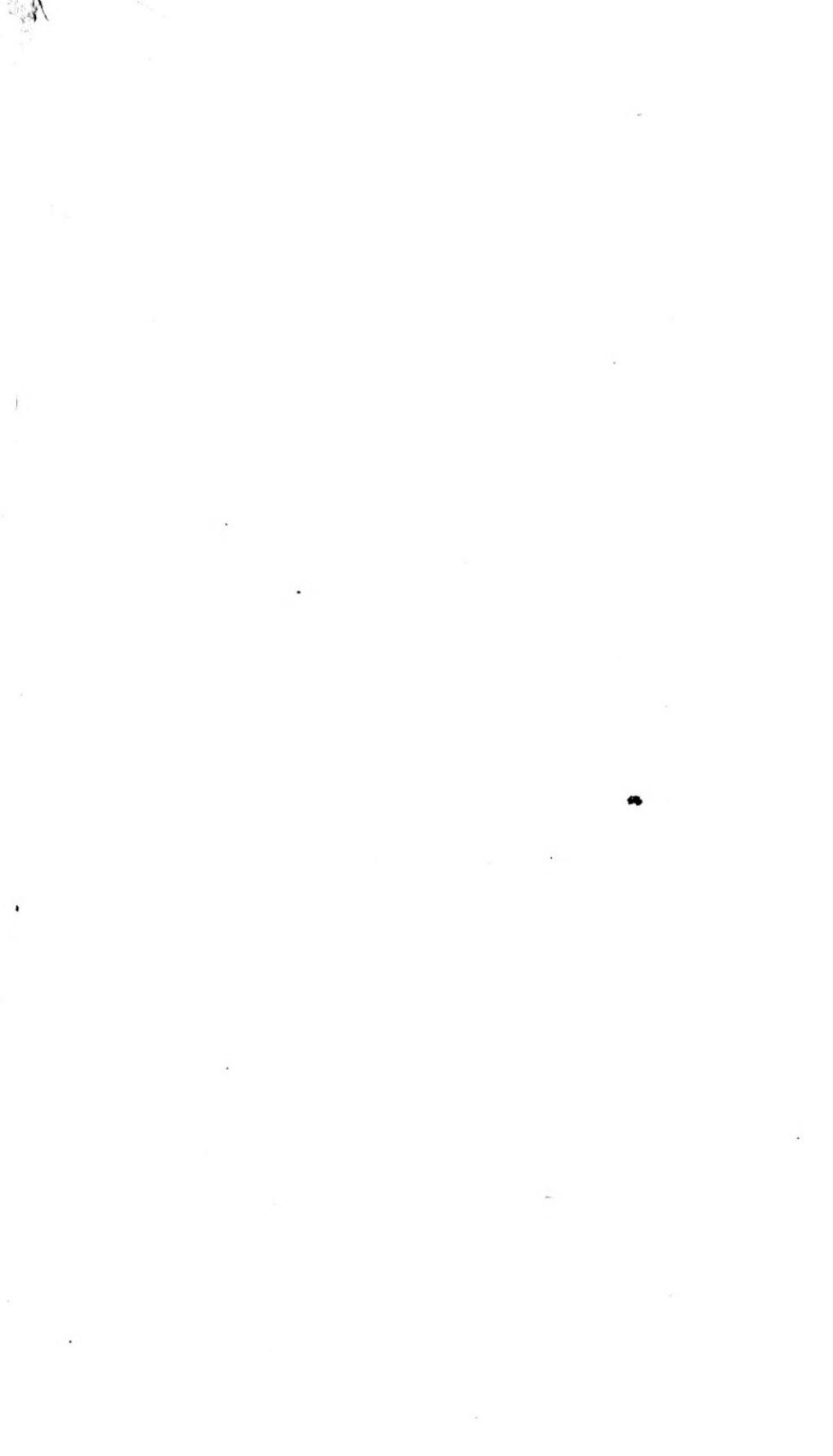
I, Thomas Hamilton Bowie, register of the court of chancery of the State of Maryland, hereby certify, that Ninian Pinkney, Esq. who appears to have signed the foregoing certificate, is clerk of the executive council of the State aforesaid. In testimony whereof, I hereunto affix the great seal of the said State, this 1st day of September, 1819.

(Seeit.)

THO. H. BOWIE,
Register Cur. Can.







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